

DANIEL R. MCNUTT (SBN 7815)
MATTHEW C. WOLF (SBN 10801)
CARBAJAL & MCNUTT, LLP
625 South Eighth Street
Las Vegas, Nevada 89101
Tel.: (702) 384-1170 / Fax.: (702) 384-5529
drm@cmlawnv.com
mcw@cmlawnv.com

Attorney for Defendants *Ethan Hoopes, Corporation
of the President of The Church of Jesus
Christ of Latter-day Saints, and
Corporation of the Presiding Bishop of
The Church of Jesus Christ
of Latter-day Saints*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

NICOLAS SCOTT, an individual,) Case No. 2:16-cv-02646-APG-PAL

Plaintiff,)

vs.)

CORPORATION OF THE PRESIDING)
BISHOP OF THE CHURCH OF JESUS)
CHRIST OF LATTER-DAY SAINTS, a)
foreign corporation; CORPORATION OF)
THE PRESIDENT OF THE CHURCH OF)
JESUS CHRIST OF LATTER-DAY)
SAINTS, a foreign corporation; ETHAN)
HOOPES, an individual; DOES I through)
XV; ROE CORPORATIONS I through X,)
inclusive,)
Defendants.)

**STIPULATION AND [PROPOSED]
PROTECTIVE ORDER REGARDING
PRODUCTION OF DEFENDANT ETHAN
HOOPES' EMAIL AND NON-WAIVER OF
ATTORNEY CLIENT PRIVILEGE**

Defendants Corporation of the President of The Church of Jesus Christ of Latter-day Saints,
Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, and Ethan
Hoopes (collectively "Defendants") and Plaintiff Nicolas Scott hereby stipulate and agree as follows:

1. Kendal Hoopes is the Father of Defendant Ethan Hoopes. Plaintiff alleges that Kendal Hoopes is also an attorney licensed to practice law in the State of Wyoming.
2. Following the accident that is the subject of this litigation, Defendant Ethan Hoopes sent an email to Kendal Hoopes on January 12, 2015. Defendant Hoopes alleges that he sent

1 the email as both an update to his father and as a privileged communication to his
2 attorney. Plaintiff Scott disputes the allegation of privilege.

- 3 3. Defendants have previously produced the Email in redacted form as Bates #CPB03931 –
4 CPB03932.
- 5 4. The redactions were made on Defendant's representation that the email contains
6 privileged attorney-client communications. A privilege log was produced on June 15,
7 2017.
- 8 5. Defendant Ethan Hoopes agrees to produce the email in an unredacted form subject to the
9 stipulations herein.
- 10 6. Plaintiff hereby stipulates that the production of the email in an unredacted form does not
11 constitute a waiver of any actual attorney-client privilege between Defendant Ethan
12 Hoopes and his counsel, including without limitation, Attorney Kendal Hoopes, to the
13 extent such privilege otherwise exists.
- 14 7. Plaintiff further stipulates that all other disputes of privilege shall be determined on merits
15 of the respective dispute without consideration of the disclosure of the January 12, 2015
16 email from Ethan Hoopes to Kendall Hoopes that is the subject of this stipulation.

17 CARBAJAL & MCNUTT, LLP

CLEAR COUNSEL LAW GROUP

18 /s/ Dan McNutt

19 DANIEL R. MCNUTT (SBN 7815)
20 MATTHEW C. WOLF (SBN 10801)
21 625 South Eighth Street
22 Las Vegas, Nevada 89101
23 Attorneys for Defendants

/s/Jared Richards

JARED R. RICHARDS (SBN 11254)
ADAM C. ANDERSON (SBN 13062)
50 S. Stephanie St., Suite 101
Henderson, NV 89012
Attorneys for Plaintiff

24 **IT IS SO ORDERED:**

25 
UNITED STATES MAGISTRATE JUDGE

DATED: June 29, 2017